

Dade County, Florida

As part of an aggressive program to protect wellfields from ground water contamination, Dade County, Florida, has established a strong hazardous waste management program. Dade County has a much broader definition of what constitutes hazardous waste than does the state or EPA. At present, Dade County has listed in excess of 900 chemicals as hazardous. Pursuant to the State Hazardous Waste Inventory Program, Dade County contracted (with funding from DER and the Regional Planning Council) with a consultant to identify potential hazardous waste sources. Through its survey, it has identified 8000 generators.

The county has a program that requires a permit from any firm that handles, generates, or disposes of hazardous waste. Its IW-5 (Industrial Waste Regulation) permitting program regulates all those who handle or generate 55 gallons or more of hazardous waste per year. A newly proposed IW-6 program would require permits for all nonresidential industrial septic tanks. The program seems to be keeping the regulated community aware of county programs.

The county has broad legal authority to regulate every industrial discharge and has effective enforcement capability. It has legal authority to obtain emergency injunctions in County or Circuit Court, with relief including punitive and compensatory damages. It has brought about 100 enforcement cases in County or Circuit Court and has won all cases. The Department of Environmental Resources Management (DERM) has 15 inspectors in 15 districts. Each inspector controls a district and is therefore able to be familiar with virtually every business and every significant source. These inspectors, with help from fish and game wardens, have found illegal hazardous waste dumpers. DERM also has six people assigned to enforce underground storage regulations, eight permit reviewers, and four specialty inspectors. The program is financed by user fees. The county intends to conduct inspections once every year on every regulated source.

New Jersey

New Jersey has a unique approach to cleanup and control of hazardous waste that places the responsibility for cleanup on industry before property can be transferred to a new owner. The Environmental Cleanup Responsibility Act of 1983 (see "Land Use Controls" section below) requires certain industrial establishments to obtain state certification that there has been no discharge of hazardous substances or waste on the property or that any such discharge has been cleaned up according to department-approved procedures before the property can be sold. The New Jersey Department of Envi-